

Application No.: 10/564,254
Amendment and Response dated August 31, 2010
Reply to Office Action of March 4, 2010
Docket No.: 1803-2 PCT/US/RCE
Page 11

Remarks/Arguments:

Introduction

Claims 1-40, 42-47, 50-54 and 61-70 are pending. Claims 1, 22 and 47 have been amended. Claims 67-70 have been newly added. No new matter has been introduced. The claims are directed to the elected invention. Claims 55-60 and 63-66 have been cancelled in response to a restriction requirement. However, Applicant reserves the right to prosecute these claims in the future.

Entry of the claim amendments is respectfully requested.

Section 103 Rejections

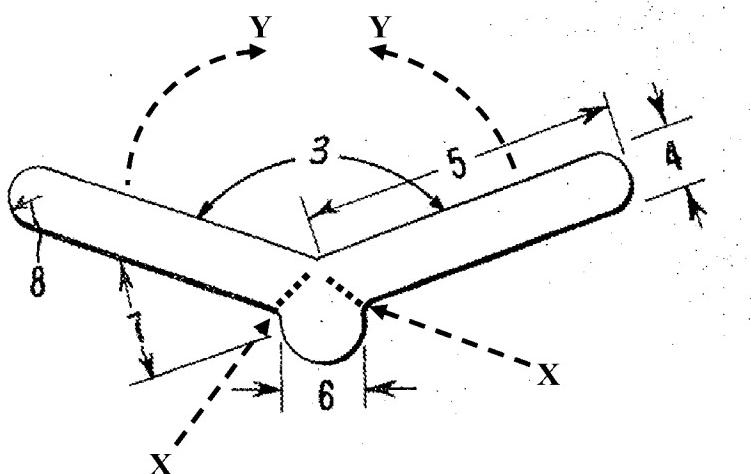
Claims 1-40, 42-47, 50-54, 61 and 62 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 3,940,552 to Wessells (hereinafter “Wessells”). Applicants respectfully traverse. However, in the interest in advancing prosecution, claims 1, 22 and 47 have been amended.

Applicant respectfully submits that Wessells fails to teach or suggest an artificial turf filament with claimed distinctions of the subject invention.

Specifically, claim 1 defines the inner side of the central area including a protrusion. Further, claim 22 recites a flattened apex on the outer side of the central area.

In contrast to the present invention, Wessells specifically teaches the direct opposite of the presently claimed invention an outwardly protruding bulb at the outer side of the diverging wing areas. The drawing below depicts Figure 2 of Wessells.

Application No.: 10/564,254
Amendment and Response dated August 31, 2010
Reply to Office Action of March 4, 2010
Docket No.: 1803-2 PCT/US/RCE
Page 12



Further, claim 47 recites a plurality of wrapping filaments that are wrapped around the turf filaments and are wrapped around the bundle in a helical path in opposite directions. Wessell does not teach or suggest any wrapping at all.

Therefore, independent claims 1, 22 and 47 are patentably distinct over Wessells. Accordingly, reconsideration and withdrawal of the Section 103 rejection of claims 1-40, 42-47, 50-54, 61 and 62 are respectfully requested.

As the independent claims are patentably distinct over Wessells, no further discussions of the dependent claims of the subject application are necessary. Nevertheless, Applicant preserves the right to traverse Wessells on the merits with respect to any and all dependent claims as those arguments are not presented herein merely for the sake of brevity. Applicants are not making any admissions regarding the assertions made by the Examiner with respect to Wessells.

Application No.: 10/564,254
Amendment and Response dated August 31, 2010
Reply to Office Action of March 4, 2010
Docket No.: 1803-2 PCT/US/RCE
Page 13

Summary

Therefore, Applicants respectfully submit that independent claims 1, 22 and 47, and all claims dependent therefrom, are patentably distinct. Rejoinder of the withdrawn claims is respectfully requested. This application is believed to be in condition for allowance. Favorable action thereon is therefore respectfully solicited.

Should the Examiner have any questions or comments concerning the above, the Examiner is respectfully invited to contact the undersigned attorney at the telephone number given below.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R. § 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Respectfully submitted,

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